

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
May 3, 2006 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 3, 2006 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Manager Paul Carlisle, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.

Commissioner Patricia Osterman led the Pledge of Allegiance.

Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA – None

PRESENTATION:

Proclamation for National Public Works Week

Mayor Castro presented the Public Works Proclamation to Joseph Kroll, Public Works Director.

Joseph Kroll thanked the Commission on behalf of the Public Works Department.

Mayor Castro thanked the employees of the Public Works Department.

Vice-Mayor Daly thanked the Public Works Department for such a great job of getting the Lake Park Harbor Marina ready for its grand opening.

Motion: A motion was made by Commissioner Balius to approve the proclamation for National Public Works Week; Vice-Mayor Daly made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

PUBLIC and OTHER COMMENT

The following person(s) addressed the Commission:

Janice Branyan, 301 Lake Shore Dr. – Explained to the commission that she had been very interested in the renovation of the Lake Park Marina. Ms. Branyan stated that she started taking pictures of the renovation in 2001 and now had 215 pages and 340 pictures that span over the time period of April 21, 2001 to April 29, 2006. All pictures are indexed and in chronological order. Ms. Branyan stated that she would like to see the album go to the Lake Park Historical Society.

Mayor Castro expressed his gratitude and appreciation and stated that he would like to see the album stay at the Lake Park Marina for a period of time and for Ms. Branyan to have the recognition. Mayor Castro stated the pictures could then be transferred to Town Hall and then be dedicated to the Historical Society.

Vice-Mayor Daly stated that the pictures should be copied so they are not lost.

Commissioner Balias expressed his thoughts on having a trophy or display case within the entrance of the Town Hall.

CONSENT AGENDA:

1. Commission Meeting Minutes from April 19, 2006.
2. Collective Bargaining Agreement

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve the Consent Agenda; Commissioner Osterman made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balias | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

PUBLIC HEARING(S)

ORDINANCE NO. 03-2006 – Adopting New Municipal Code
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK,
FLORIDA ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE

TOWN OF LAKE PARK, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING THE CODE; AND PROVIDING WHEN THE CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Town Attorney Thomas Baird read Ordinance No. 3-2006

Public Hearing Opened.

None

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 3-2006; Commissioner Osterman made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

**QUASI-JUDICIAL HEARING(S):
RESOLUTION(S)**

RESOLUTION NO. 11.02.06 – Mariner’s Key. Continuum

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR THE CONSTRUCTION OF A PRIVATE CLUBHOUSE AND RENOVATION OF THE EXISTING RESIDENTIAL UNITS LOCATED ON 10.31 ACRES OF PROPERTY, OWNED BY LAKE PARK OWNER LLC AND LOCATED AT 901 LAKESHORE DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Commission declared Ex-Parte communication as follows:

Mayor Castro – Mayor Castro declared Ex-Parte communication. Mayor Castro stated that he discussed the previous project and its disposition with the applicant.

Vice-Mayor Daly - none

Commissioner Balius – none

Commissioner Osterman – Commissioner Osterman declared Ex-Parte communication. Commissioner Osterman stated that she met with Town Manager Paul Carlisle and the developer and discussed the plans of the project.

Commissioner Carey – none

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Vice Mayor Daly to defer Resolution 11-02-06 to May 17, 2006; Commissioner Balius made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

RESOLUTION NO. 24-05-06 – Pediatric Respiratory Center

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA DENYING AN AMENDMENT TO CONDITION 11 OF RESOLUTION 12-02-04, REQUIRING THE PRESERVATION AND RESTORATION OF THE EXISTING HORSE SCULPTURES, UPON THE PROPERTY LOCATED AT 500 FEDERAL HIGHWAY, BETWEEN FORESTERIA DRIVE AND EVERGREEN DRIVE, WITHIN THE COMMERCIAL-1B ZONING DISTRICT (C-1B) OF THE TOWN OF LAKE PARK, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

The Commission declared Ex-Parte communication as follows:

Mayor Castro – none

Vice-Mayor Daly - none

Commissioner Balius – none

Commissioner Osterman – none

Commissioner Carey – none

Town Manager Paul Carlisle explained that Resolution No. 24-05-06 is the Resolution rejecting the applicants request to modify the site plan.

Public Comment Open.

None

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution 24-05-06; Commissioner Carey made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balias | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

RESOLUTION NO. 25-05-06 – Palm Beach County Sheriff's Office First Amendment Contract

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LAW ENFORCEMENT SERVICES AGREEMENT BETWEEN THE TOWN OF LAKE PARK, FLORIDA AND THE PALM BEACH COUNTY SHERIFF'S OFFICE; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Hearing Closed.

Motion: A motion was made by Commissioner Osterman to approve Resolution 25-05-06; Commissioner Balias made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Balias | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | X | | |
| Vice-Mayor Daly | X | | |
| Mayor Castro | X | | |

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION

Palm Beach County Environmental Resource Management Grant

Town Manager Paul Carlisle explained that Palm Beach County will offer a grant program available for residents and business owners to apply to have invasive species of trees removed

from their property. Town Manager Paul Carlisle stated that the county was requesting the use of Town Hall to conduct two (2) meetings open to the public, to explain the grant program. Palm Beach County was requesting May 23 & 24, 2006 as the dates for the meetings.

Mayor Castro expressed his approval.

Commissioner Osterman expressed that a mailing would be beneficial.

Consensus: The Town Commission came to consensus to allow Palm Beach County the use of the Commission Chambers on the date proposed.

Approval of Volunteer Dinner invitee list and date

Mayor Castro expressed concern over having the dinner on a Wednesday night.

Commissioner Osterman stated that she will be out of town from May 24th through June 2nd.

Mayor Castro suggested a Friday night in June.

Town Manager Paul Carlisle expressed that he would have the Town Clerk Vivian Mendez verify with the Commission their availability.

Commissioner Osterman expressed her concern over determining the difference between town and non-town sponsors. Commissioner Osterman recommended that an invitation be sent to two (2) representatives of non-town boards.

Mayor Castro recommended that one (1) representative and (1) guest be invited.

Town Manager Paul Carlisle recommended that Peter Lowry volunteer to the Police Pension Board be invited to the Volunteer Dinner.

Vice-Mayor Daly recommended the first Friday night available.

Town Manager Paul Carlisle recommended that Entre Nous be used to cater the Volunteer Dinner.

Meet & Greet with PBC Sheriff's Office, Sheriff Bradshaw

Town Manager Paul Carlisle stated that Consensus for the 6th and the 10th was needed.

Vice-Mayor Daly suggested that a mailer be mailed out.

The Commission came to consensus to have the meet and greet with Palm Beach County Sheriff's Office' Sheriff Bradshaw for June 6th and June 10th.

Budget Workshop Dates

Town Manager Paul Carlisle expressed concern over getting dates locked in.

The Commission came to consensus to have the budget workshop dates as proposed.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

Mayor Castro requested updates on the following issues: CRA and the walls on Park Avenue; Park Avenue BBQ and Twin City Mall; the bond for reimbursement of the Watertower improvements.

Mayor Castro requested that a discussion regarding gating off residential alleyways in the town be placed on the next agenda.

Mayor Castro recommended that Park Avenue BBQ and Twin City Mall be cited for weeds and overgrowth on the property.

Mayor Castro expressed concern regarding unloading of pallets at Lowe's and recommended they be cited for a repeat violation.

Mayor Castro requested an update on the percentage of parking violations that are being cited by the Code Compliance Department.

Mayor Castro thanked the Recreation and Public Works Departments for doing an outstanding job on the Grand Opening of the Lake Park Harbor Marina. Mayor Castro also thanked Willie McDow for providing the bait for the Kid's Fishing Tournament.

Mayor Castro commented on the Brick Paver Program and the overall atmosphere of the Lake Park Harbor Marina Grand Opening.

Commissioner Balius

Commissioner Balius expressed concern that over 90% of code violations are parking violations. Commissioner Balius expressed his concern over fences being erected that are in violation of the code.

Commissioner Balius thanked Willie McDow for his contributions and stated that his kids had a great time at the Fishing Tournament and that the Marina was fabulous.

Commissioner Balius asked how many lanes will be implemented on Silver Beach Rd.

Commissioner Carey

Commissioner Carey asked if the Marina Board was going to discuss benches at the Harbor Marina.

Commissioner Carey questioned when Code Enforcement will be receiving their pads/notebooks. Town Manager Paul Carlisle replied that they will be receiving them soon.

Commissioner Osterman

Commissioner Osterman encouraged people to submit applications for the town's boards. Members are needed to keep the boards running.

Commissioner Osterman announced that she received a mailing regarding a CRA seminar at FAU and asked if anyone was interested in attending. Patrick Sullivan, Community Development Director volunteered.

Commissioner Osterman stated that the website e-mail are failing, but it is being worked on.

Commissioner Osterman stated that she spoke with the former president of the Lake Park Garden Club, and was informed that it has been sitting idle. Commissioner Osterman stated that Heather Premitz, former president of the Lake Park Garden Club said that she was willing to hand over the responsibilities of the club to whoever is willing.

Commissioner Osterman expressed concern over the majority of code violations being parking in swales rather than larger issues and she wanted to see if they can investigate other ways of citing those violations.

Vice-Mayor Daly

Vice-Mayor Daly commented on the Fire Department and stated that their time and work is fantastic.

Vice-Mayor Daly commented on the Police Department and stated man power is increasing.

Vice-Mayor Daly commented on the Public Works Department and stated that more employees are needed.

Vice-Mayor Daly commented that there is a new Community Development Director.

Vice-Mayor Daly commented that there is a new Town Clerk and an assistant in place.

Vice-Mayor Daly stated that all department heads are in place.

Town Attorney

Town Attorney Thomas Baird stated that he had been contacted by Louis, Longtin & Walker the attorneys who represent the Commission in the Firefighter's Pensions case. Town Attorney

Thomas Baird stated that the attorneys have been asked by Mr. Earl Stewart to represent him in his re-zoning petition involving the Journey's Inn and they have asked if the Commission would be willing to waive conflict.

Mayor Castro stated that he would absolutely not.

The Commission consensus was no, they would not waive the conflict.

Town Manager

Town Manager Paul Carlisle addressed the concerns of the commission as follows:

Town Manager Paul Carlisle stated that the alleyways will be addressed at the next commission meeting.

Town Manager Paul Carlisle stated that a letter was being sent out to the owner of Park Avenue BBQ advising him of his violation to his grants.

Town Manager Paul Carlisle stated that they will review the Twin City Mall issue.

Town Manager Paul Carlisle stated that One Park Place was owned by Richard Ahrens.

Town Manager Paul Carlisle updated Mayor Castro on the status of the lighting program.

Town Manager Paul Carlisle stated that the Congress Avenue corridor lighting will be upgraded.

Town Manager Paul Carlisle stated that traffic lights at Park Avenue and Silver Beach Rd. will be upgraded

Town Manager Paul Carlisle stated that the street lights between Lowes and Wal-Mart are being designed.

Town Manager Paul Carlisle stated that the next phase of street lighting will be in the industrial area off of Watertower Rd.

Town Manager Paul Carlisle thanked the Marina Board and all of the participants in the Lake Park Marina Grand Opening.

Town Manager Paul Carlisle commented on the status of the Silver Beach Rd. project.

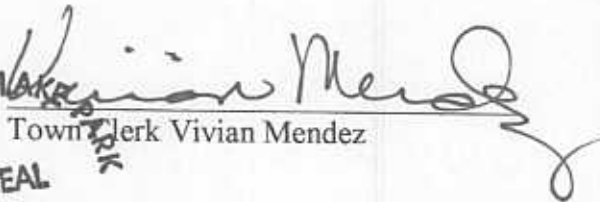
Town Manager Paul Carlisle stated that Silver Beach Rd. will be going to three (3) lanes.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 8:25 p.m.



Mayor Paul Castro



Town Clerk Vivian Mendez

TOWN OF LAKE
SEAL

APPROVED
FLORIDA
Approved on this 17th day of May, 2006.